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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,273	03/29/2004	Gisle Vold	WEAT/0345	2274

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EXAMINER

GAY, JENNIFER HAWKINS

ART UNIT PAPER NUMBER

3672

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/812,273

Applicant(s)

VOLD ET AL.

Examiner

Jennifer H. Gay

Art Unit

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-19 and 22-28 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 20, 21 and 29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because the abstract includes the implied phrase "are provided". Correction is required. See MPEP § 608.01(b).

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The disclosure is objected to because of the following informalities: in paragraph [0007] of the specification the following application serial numbers should be replaced with their corresponding patent numbers; Serial No. 09/964,034 is now US Patent No. 6,877,553 and Serial No. 09/964,160 is now US Patent No. 6,932,161.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 6-11, 14-19, 22-26, and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Patel et al. (US 2003/0221829).

First Embodiment:

*Regarding claims 1, 7:* Patel et al. discloses a method for installing an instrumentation line in a wellbore. The method involves the following steps:

- Locating a landing tool **452/458** within the wellbore where the landing tool has a connector **488** for an upper instrumentation line.
- Landing a stringer **454/466** onto the landing tool where the landing of the stringer axially displaces a blocking member **464** that retains the connector for the upper line and aligns and places the connector for the upper line in communication with a connector **484** for a lower line.

The connector is for the lower line coupled to the stinger.

*Regarding claims 2, 7:* The landing of the stinger positions a key/shoulder **476** of the stinger along an orienting shoulder/landing profile **474** of the landing tool.

*Regarding claims 6, 22, 28:* The stinger is located into the landing tool via a locking member **490/494**.

*Regarding claims 8, 9, 24, 25:* The upper and lower lines can be either electrical lines or fiber optic lines (paragraph [0052]).

*Regarding claims 10, 26:* The landing profile is located along both the inner and outer diameters of the landing tool.

*Regarding claim 11:* The above installation method may be used in a gravel packing operation thus the upper and lower lines would be located along the inner bore of a sand screen (Figure 6).

*Regarding claim 14:* The tubular string used to run the above apparatus into the wellbore is a production tubing that includes a production packer **42**.

*Regarding claim 15:* The method further involves setting the above packer before landing the stinger on the landing tool.

*Regarding claims 16, 17, 23:* Patel et al. discloses a coupler that includes the following features:

- A stinger **454/466** that includes the following:
  - An elongated tubular body.
  - A shoulder/key **476** along the body.
  - A connector **484** connected to a first end of a lower line.
- A landing tool **452/458** that includes the following:
  - An elongated tubular body.
  - A landing profile/orienting shoulder **474** along the body where the profile/shoulder receives the shoulder/key.
  - A connector **488** connected to a second end of an upper line so that the upper and lower lines are in communication when the stinger is landed on the landing tool.
  - An axially displaceable blocking member **464** that retains the connector for the upper line.

*Regarding claim 18:* The stinger extends to a predetermined depth as does the lower line along the stinger.

Second Embodiment:

*Regarding claims 1, 7:* Patel et al. discloses a method for installing an instrumentation line in a wellbore. The method involves the following steps:

- Locating a landing tool **202/206** within the wellbore where the landing tool has a connector **226** for an upper instrumentation line.
- Landing a stringer **204** onto the landing tool where the landing of the stringer axially displaces a blocking member **234/236** that retains the connector for the upper line and aligns and places the connector for the upper line in communication with a connector **216/228** for a lower line. The connector is for the lower line coupled to the stinger.

*Regarding claims 3, 19:* The blocking member retains the connector for the upper line within a pocket **214** of the landing tool.

*Regarding claim 16:* Patel et al. discloses a coupler that includes the following features:

- A stinger **204** having a connector **216/228** connected to a lower line.
- A landing tool **202/206** having a connector **226** connected to an upper line so that the upper and lower lines are in communication when the stinger is landed on the landing tool and an axially displaceable blocking member **234/236** that retains the connector for the upper line.

*Regarding claim 18:* The stinger extends to a predetermined depth, as does the lower line along the stinger.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 12, 13, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patel et al.

Patel et al. discloses all of the limitations of the above claim(s) except for releasing the work string from the stinger, removing the work string from the wellbore, and then running the work string back into the wellbore to retrieve the stringer.

However, it would have been considered obvious to one of ordinary skill in the art, at the time the invention was made, to have modified the method of Patel et al. to include the above steps in order to have removed an possible fluid or equipment restrictions with the removal of the work string but retained the ability to remove the stinger and thus sever the connection of the control line when desired.

### ***Allowable Subject Matter***

8. Claims 4, 5, 20, 21, and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

9. In view of applicant's amendment, the objections to the drawings and claims have been withdrawn.

10. The objection to the specification has been repeated because it has not addressed by applicant. The objection to the abstract has been addressed, however, the amended language is considered to be essentially the same as the original language of the abstract.

11. Applicant's arguments filed June 22<sup>nd</sup>, 2006 have been fully considered but they are not persuasive.

Applicant has argued that Patel does not teach a blocking member as recited in claims 1, 7, 16, and 23. The examiner disagrees and believes that element **236** in the second embodiment and element **464** in the first embodiment teach such a "blocking member" as it is these features that are moved to form the connection between the upper and lower lines. The examiner recognizes that applicant has referred to element **236** to show that Patel does not teach a blocking member but has not provided any reasoning why this element cannot be considered a blocking member.

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

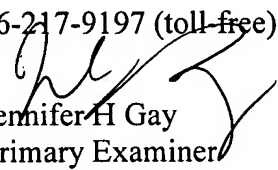
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer H. Gay whose telephone number is (571) 272-7029. The examiner can normally be reached on Monday-Thursday, 6:30-4:00 and Friday, 6:30-1:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on (571) 272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jennifer H Gay  
Primary Examiner  
Art Unit 3672

JHG   
August 7, 2006